

## **REMARKS**

Reconsideration of the present application, in view of the arguments presented herein, is respectfully requested.

### **I. STATUS OF THE CLAIMS**

Claims 57-77 are pending in this application. Claims 59 and 66-77 have been withdrawn from consideration due to a Restriction Requirement. Claims 57 and 62 have been amended herewith to more particularly point out and distinctly claim that which Applicants regard as their invention. Moreover, claim 61 has been canceled herewith without prejudice.

Support for the above amendments can be found throughout the specification as originally filed. No new matter has been added by virtue of this amendment.

### **II. 35 U.S.C. 103(a) REJECTIONS**

(i) Claim 57 has been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,978,065 to Kawasumi et al. ("the Kawasumi patent") in view of Japanese Patent Application Publication No. JP 56114928 to Adachi ("the Adachi publication").

(ii) Claims 58 and 60 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasumi in view of Adachi as applied to claim 57 above, and further in view of U.S. Patent No. 2,394,293 to Deem ("the Deem patent").

(iii) Claims 61-65 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasumi in view of Adachi, and further in view of U.S. Patent No. 5,731,860 to Harada et al. ("the Harada patent").

In response, it is submitted that the above rejections to the claims are improper and should be removed for at least the reasons set forth below.

In particular, the combination of the Kawasumi patent and the Adachi publication at the very least fails to teach or suggest an in-line system for manufacturing liquid crystal displays which includes a substrate-attaching unit having a substrate-attaching vacuum chamber which includes a first compression plate and a second compression plate supporting the two substrates and applying a predetermined force toward each other and an exposure unit hardening the sealant, as required by amended claim 57. In addition, it is noted that claim 57 has been amended to include all of the features of prior claim 61 and thus consequently the Examiner clearly concedes in the instant Office Action that the combination of Kawasumi and Adachi fails to teach or suggest all of the features now recited in amended claim 57.

The Examiner attempts to cure the above-mentioned deficiencies of the Kawasumi and Adachi references by citing the Harada reference. The Examiner contends that it would have been obvious to one skilled in the art to modify the LCD system of Kawasumi and Adachi with the vacuum conditions described in Harada.

However, it is respectfully submitted that the Examiner cannot modify the Kawasumi and Adachi references in the manner set forth in the instant office action to include the teachings of the Harada reference because at the very least the Kawasumi reference teaches away from the Examiner's proposed modification.

It is well known under the U.S. patent laws that it is improper to combine references where the references teach away from their combination. (See MPEP 2145, **paragraph D** ). Moreover, teaching away may be found when a reference criticizes, discredits, or otherwise discourages the solution claimed. (See MPEP 2142.01, **paragraph VI**).

The Examiner's position seems to be in the instant Office Action that since Kawasumi mentions apparatuses which utilize vacuum conditions in the background section of its reference that that qualifies as a teaching of the use of vacuum conditions. This position by the Examiner is erroneous because the Examiner appears to be missing the point that Kawasumi is not actually teaching the use of vacuum conditions but rather is teaching that its apparatuses as replacing those apparatus which utilize vacuum conditions with its apparatus which does not utilize vacuum conditions.

In this regard it is noted that it appears that the Examiner has misinterpreted the teachings of the Kawasumi reference and also misinterpreted the patent law regarding obviousness/teaching away. As noted by the Applicants in previous responses, the Kawasumi reference teaches away from providing/using vacuum conditions by describing how its apparatus serves as a replacement for and which overcomes the disadvantages and problems associated with equipment which utilize vacuum conditions for LCD manufacture.

In particular, the Kawasumi reference states in its disclosure what it perceives to be disadvantages and problems associated with using vacuum conditions (e.g. long manufacturing times and costly manufacturing costs.) , thereby having the effect of discrediting the use of vacuum conditions and discouraging one skilled in the art from using these conditions. (See Col. 1, lines 26-50 and Col. 7, lines 4-7 of the **Kawasumi patent**). Also, none of the embodiments described in Kawasumi use vacuum conditions. Moreover, Kawasumi also discusses how vacuum conditions are not needed or desired. (See Col. 7, lines 4-7 and Col. 21, lines 30-32 of the **Kawasumi patent**).

In sum, as Kawasumi describes its apparatuses as a replacement for and which overcomes the disadvantages and problems associated with equipment which utilize vacuum conditions for LCD manufacture, the Kawasumi reference thus clearly teaches away from the use of vacuum conditions. Consequently, for at least the reasons set forth above, one skilled in the would be lead away/discouraged from applying the teachings of

the Harada reference with regard to vacuum conditions to modify the apparatus of Kawasumi and Adachi.

Accordingly, the combination of Kawasumi and Adachi with the Harada reference as proposed by the Examiner in the instant Office Action is improper for at the reasons set forth above, and thus the Examiner has failed to meet his initial burden of proving obviousness with regard to claims 57, 58, 60 and 62-65. Withdrawal of the above rejections to claims 57, 58, 60, 62-65 is therefore respectfully requested.

**III. CONCLUSION:**

In summary, applicant respectfully submits that the instant application is in condition for allowance. Early notice to that end is earnestly solicited.

If a telephone conference would be of assistance in furthering prosecution of the subject application, applicant requests that the undersigned be contacted at the number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott L. Appelbaum', written over a horizontal line.

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